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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
02/143,957	08/31/98	BERTMAN	RP9-95-017V

TM31/1109  
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EXAMINER  
HUYNH, B

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 11/09/01

18

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



**UNITED STATES DEPARTMENT OF COMMERCE**  
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09/143,967 08/31/98 BERTMAN

R RP9-95-017V

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EXAMINER

HUYNH, R

ART UNIT

PAPER NUMBER

2173

DATE MAILED:

10/03/01

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Commissioner of Patents and Trademarks

Art Unit: 2173

### **DETAILED ACTION**

1. Applicants' Reply Brief filed on 9/7/01 have been fully considered but they are not persuasive.

#### **REMARKS:**

In response to the appellants' contest that amended claim 58 fully incorporated all limitations of the base claim and intervening claims: Claim 58 is a dependent of claim 54 which in turn a dependent of claim 49. See claim 58 in paper #2 and the Brief's appendix. The appellants are in error copying all the limitations of claims 49 and 54 into claim 57 instead of into claim 58.

In response to the arguments regarding the rejection of claims 37-45, 47-57, 59-69, and 71-72, it is believed that the arguments have been fully discussed in the 7/18/01 Examiner's Answer and no further response is deemed necessary.

#### **Inquires**

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 746-7238 may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Art Unit: 2173

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huynh-Ba whose telephone number is (703) 305-9794. The examiner can normally be reached on Monday-Friday from 8.00AM to 4.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Huynh-Ba  
Primary Examiner  
Art Unit 2173  
10/01/01

  
BA HUYNH  
PRIMARY EXAMINER